

Message Text

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PAGE 01 ROME 05368 171847Z

72

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AMCONSUL TRIESTE

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SUBJECT: TRIESTE ZONE B DISPUTE

REF: ROME 5335

1. TEXT OF INFORMAL TRANSLATION OF THE SUBSTANCE OF THE ITALIAN
NOTE OF APRIL 16 HANDED TO AMBASSADOR PAVICEVIC IN ROME FOLLOWS:

"IN THE ABOVE MENTIONED NOTE VERBALE THE FEDERAL SECRETARIAT FOR
FOREIGN AFFAIRS REFERS TO THE PEACE TREATY OF 1947 AND TO THE
LONDON MAMORANDUM OF UNDERSTANDING OF 1954 IN ORDER TO STATE THAT
ON THE BASIS OF THE SAID AGREEMENTS ONE SINGLE FRONTIER BETWEEN
THE REPUBLIC OF ITALY AND THE SOCIALIST FEDERAL REPUBLIC OF
YUGOSLAVIA WAS COMPLETELY DEFINED. FOR ITS PART, THE MINISTRY
OF FOREIGN AFFAIRS POINTS OUT THE FACT THAT THE PEACE TREATY
ESTABLISHED, IN THE SECTION BETWEEN MONTE FORNO AND DOSSO GIULIO,
A STATE FRONTIER BETWEEN ITALY AND YUGOSLAVIA. THE SAME PEACE
TREATY ESTABLISHED, ALONG THE SECTION BETWEEN DOSSO GIULIO AND
MONTE GOLI, A STATE FRONTIER ALSO BETWEEN YUGOSLAVIA AND THE
FREE TERRITORY OF TRIESTE, THE ESTABLISHMENT OF WHICH WAS
ENVISAGED. IN NO PART OF THE PEACE TREATY IS A STATE FRONTIER

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PAGE 02 ROME 05368 171847Z

MENTIONED, SUPPOSEDLY RUNNING FROM MONTE GOLI TO SAN

BARTOLOMEO. HOWEVER, IN PARAGRAPH TWO OF THE LONDON MEMORANDUM OF UNDERSTANDING A NEW DEMARCATION LINE IS MENTIONED, WITH CERTAIN CHANGES COMPARED TO THE DEMARCATION LINE WHICH EXISTED PREVIOUSLY BETWEEN ZONE A AND ZONE B OF THE FREE TERRITORY OF TRIESTE WHICH WAS NEVER BROUGHT INTO BEING".

2. "IT IS THEREFORE OBVIOUS THAT, ACCORDING TO THE TREATIES AND AGREEMENTS IN FORCE, A STATE FRONTIER EXISTS ALONG THE LINE THAT RUNS FROM MONTE FORNO TO MONTE GOLIO (IN CONNECTION WITH WHICH, ALONG THE SECTION BETWEEN MONTE FORNO AND DOSSO GIULIO, DISAGREEMENTS STILL EXIST IN VARIOUS POINTS AS WELL AS POCKETS OCCUPIED BY ONE OR THE OTHER PARTY), WHILE A DEMARCATION LINE, AND NOT A STATE FRONTIER, EXISTS AT THE PRESENT TIME BETWEEN MONTE GOLIO AND THE SEA".

3. "IT IS THEREFORE DIFFICULT FOR THE MINISTRY OF FOREIGN AFFAIRS TO UNDERSTAND WHAT THE YUGOSLAV GOVERNMENT MEANS WHEN IT TALKS, IN ITS NOTE VERBALE OF MARCH 30, 1974, OF COMPLIANCE WITH THE AGREEMENTS IN FORCE. IN EFFECT, IT IS CONTRADICTORILY STATED THEREIN THAT, IN ACCORDANCE WITH THE PEACE TREATY AND THE MEMORANDUM OF UNDERSTANDING, ONE SINGLE FRONTIER HAS BEEN FULLY ESTABLISHED, WHILE THIS CERTAINLY DOES NOT CORRESPOND TO THE PROVISIONS CONTAINED IN THE SAID INTERNATIONAL INSTRUMENTS".

4. "IN PARAGRAPH ONE OF THE MEMORANDUM OF UNDERSTANDING IT WAS ACKNOWLEDGED, WITH THE YUGOSLAV GOVERNMENT'S APPROVAL, THAT IS HAD NOT BEEN POSSIBLE TO IMPLEMENT THE CLAUSES OF SECTION THREE OF THE PEACE TREATY WITH ITALY CONCERNING THE FREE TERRITORY OF TRIESTE. CONSEQUENTLY, PURSUANT TO PARAGRAPH ONE OF THE MEMORANDUM, THE ALLIED MILITARY GOVERNMENT GAVE BACK TO THE ITALIAN GOVERNMENT THE ADMINISTRATIVE CONTROL OF THE ZONE TO THE NORTH OF THE DEMARCATION LINE, INCLUDING THE CITY OF TRIESTE AND NEIGHBORING MUNICIPALITIES. ITALY HAD NEVER CEASED TO EXERCISE HER SOVEREIGNTY OVER THIS ZONE, CONTRARY TO WHAT THE YUGOSLAV NOTE VERBALE SAYS, INASMUCH AS THE INTERNATIONAL ENTITY, E.E., THE FREE TERRITORY OF TRIESTE, TO WHICH THIS SOVEREIGNTY SHOULD HAVE BEEN TRANSFERRED, WAS NEVER ESTABLISHED. ONE DOES NOT UNDERSTAND, THEREFORE, THIS INOPPORTUNE REFERENCE TO THE REOPENING OF THE TRIESTE QUESTION."

5. "SINCE THE ITALIAN GOVERNMENT ADHERES SCRUPULOUSLY TO THE LIMITED OFFICIAL USE

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PAGE 03 ROME 05368 171847Z

PRINCIPLES OF COMPLIANCE - A COMPLIANCE THAT MUST BE RECIPROCAL - WITH

THE AGREEMENTS IN FORCE, OF TERRITORIAL INTEGRITY AND OF NON-INTERFERENCE, IT RECOGNIZES FULLY THE JURIDICAL SITUATION DETERMINED BY THE AFORESAID PEACE TREATY AND THE LONDON MEMORANDUM OF UNDERSTANDING."

6. "THE ITALIAN GOVERNMENT HAS ALWAYS RESPECTED AND INTENDS TO

RESPECT THE TERRITORIAL LIMITS ESTABLISHED BY THE SAID INSTRUMENTS AND DOES NOT INTEND TO TAKE ANY UNILATERAL ACTION IN THIS CONNECTION. HOWEVER, THE ITALIAN GOVERNMENT HAD TO UNDERLINE IN THE PAST AND MUST UNDERLINE ONE AGAIN THAT YUGOSLAVIA MUST NOT TAKE UNILATERAL INITIATIVES, SUCH AS THE SUBSTITUTION OF SIGNS ALONG THE DEMARCATION LINE. THIS REQUIREMENT WAS MENTIONED

TALY'S ORAL INITIATIVE OF FEBRUARY 22, 1974 AND IN THE NOTE VERBALE OF MARCH 8, 1974".

7. "THE MINISTRY OF FOREIGN AFFAIRS HAS THEREFORE THE HONOR TO CONFIRM

THE DECLARATION MADE ON MARCH 21, 1974 BY THE PRIME MINISTER IN PARLIAMENT, ACCORDING TO WHICH NO QUESTION IS BEING RAISED NOR WILL BE RAISED ABOUT THE TERRITORIAL INTEGRITY OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA. WHATEVER ITALY'S LEGAL POINT OF VIEW MAY BE WITH REGARD TO THE TITLE ON WHICH IS BASED THE ADMINISTRATIVE CONTROL EXERCISED BY THE YUGOSLAVIAN GOVERNMENT OVER THE ZONE SOUTH OF THE DEMARCATION LINE ESTABLISHED BY THE MEMORANDUM OF UNDERSTANDING, THE ITALIAN GOVERNMENT DOES NOT INTEND TO CONTEST THE POWERS THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA IS ENTITLED TO EXERCISE PURSUANT TO THE MEMORANDUM OF UNDERSTANDING, AND INTENDS TO RESPECT, AS IT HAS ALWAYS DONE, THE BOUNDARY LINE TO THE SAME EXTENT AS IT RESPECTS STATE FRONTIERS. UNDER SUCH CIRCUMSTANCES ANY INSINUATION AS TO TERRITORIAL CLAIMS BY ITALY ON THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA SEEMS OUT OF PLACE, JUST AS THE HARDLY COURTEOUS LANGUAGE USED IN CERTAIN SENTENCES OF THE YUGOSLAVIAN NOTE VERBALE OF MARCH 30, 1974 IS INADMISABLE." BEAUDRY

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